

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NATHAN CHURCH,

Petitioner,

v.

UTTECHT,

Respondent.

No. 3:20-CV-5289-RBL-DWC

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

THIS MATTER is before the Court on Magistrate Judge Christel's Report and Recommendation (Dkt. No. 13), recommending dismissal without prejudice of Petitioner's §2254 habeas petition. Petitioner has not objected.

- (1) The Report and Recommendation is **ADOPTED**;
- (2) The §2254 habeas petition is **DISMISSED** without prejudice; and
- (3) For the reasons articulated in the R&R, the Court will **NOT** issue a Certificate of Appealability.

The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. David W. Christel.

IT IS SO ORDERED.

DATED this 22 day of September, 2020.



Marsha J. Pechman
United States Senior District Judge